

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BEDNARSKI *et al.*Application No. **10/681,855**Filed: **October 7, 2003**For: **X-NITRO COMPOUNDS,
PHARMACEUTICAL
COMPOSITIONS THEREOF AND
USES THEREOF**Art Unit: **1614** Conf. No.: **7135**Examiner: **James D. Anderson**Docket No.: **067425-5001-US**

Certificate of Transmission (37 C.F.R. § 1.8)
I hereby certify that this correspondence is being transmitted to the
U.S. Patent and Trademark Office via the Office electronic filing
system in accordance with § 1.6(a)(4) on September 18, 2008.



Jennifer Black

Mail Stop AMENDMENT
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Supplemental Information Disclosure Statement is hereby submitted in accordance with 37 C.F.R. 1.98 and pursuant to Applicant's continuing duty under 37 C.F.R. 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Except for U.S. Patents and U.S. Patent Application Publications, *see* 37 C.F.R. § 1.98(a)(2)(i), copies of the cited references are enclosed, unless otherwise noted below. It is further understood that the Examiner will also consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. M.P.E.P. § 609 (I)(A)(2).

Applicant makes no representation that a search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material to patentability. The filing of this Information

Disclosure Statement shall not be construed as an admission against interest in any manner.

Notice of January 9, 1992, 11 O.G. 13-25, at 25.

In accordance with M.P.E.P. 2001.06(b) and in view of *McKesson Information Solutions v. Bridge Medical* (Fed. Cir. 2007), Applicants wish to inform/remind the Examiner that this application is related to the following U.S. Patent Applications: U.S. Application No. 11/502,810 filed August 11, 2006 and U.S. Application No. 11/502,974 filed August 11, 2006.

This Information Disclosure Statement is being filed after the mailing date of a first Office action, but before the mailing date of any of a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. 37 C.F.R. § 1.97(c). The Commissioner is hereby authorized to charge \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

The Commissioner is hereby authorized any underpayment of fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 50-0310 (Order No. 067425-5001-US).

Respectfully submitted,

By: 

Victor E. Johnson, Reg. No. 41,546 for
Richard F. Trecartin, Reg. No. 31,801

Date: September 18, 2008

MORGAN LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, California 94105
Tel: 415.442.1000
Fax: 415.442.1001